

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

EDWARD HALVERSON,
 #1030045

Plaintiff,

vs.

HOWARD SKOLNIK, *et al.*,

Defendants.

2:10-cv-01132-PMP-LRL

ORDER

On August 2, 2010, the court issued an order (docket #8) consolidating this civil rights action with three other actions that raised nearly identical allegations: that the inmate-plaintiffs are insulin-dependent diabetics and that on or about the end of June 2010, Southern Desert Correctional Center ("SDCC") medical personnel issued them a different type of insulin syringes that were not single-use syringes. (*Frixione v. Skolnik, et al.*, 2:10-cv-01235-PMP-RJJ (docket #1); *Jones v. Skolnik, et al.*, 2:10-cv-01214-RLH-LRL (docket #1); *Rea v. Skolnik, et al.*, 2:10-cv-01217-PMP-PAL (docket #1)). Plaintiffs in the latter three cases additionally allege that when inmate Halverson questioned staff about the expiration date of the syringes, the staff collected and removed or concealed the remaining syringes. Halverson helped the plaintiff in these three cases prepare their complaints, and all three

1 complaints name the same defendants, allege the same facts and constitutional violations and seek
2 similar injunctive relief.¹

3 On July 16, 2010, another SDCC inmate filed a fifth action that again sets forth nearly
4 identical allegations as those described above (*Powell v. Skolnik, et al.*, 2:10-cv-01182-JCM-PAL
5 (docket #1)). Halverson also assisted Powell in preparing his complaint.

6 Under Rule 42 of the Federal Rules of Civil Procedure, the court may consolidate actions
7 when they “involve a common question of law or fact.” FRCP 42(a)(2). Such consolidation promotes
8 judicial efficiency and avoids potentially conflicting results. *See generally*, FRCP 42. The instant
9 action, along with the three other actions discussed herein, involve nearly identical allegations, and thus
10 clearly involve common questions of law or fact. Accordingly, the instant case is consolidated with the
11 four other actions discussed herein that have previously been consolidated.

12 **IT IS THEREFORE ORDERED** that the following action shall be consolidated
13 pursuant to FRCP 42:

14 POWELL V. SKOLNIK, ET AL., 2:10-cv-01182-JCM-PAL

15 with the cases that were previously consolidated, the lead case being

16 HALVERSON V. SKOLNIK, ET AL, 2:10-cv-01132-PMP-LRL.

17 **IT IS FURTHER ORDERED** the following action:

18 POWELL V. SKOLNIK, ET AL., 2:10-cv-01182-JCM-PAL

19 is hereby re-assigned to United States District Judge Philip M. Pro and United States Magistrate Judge
20 Lawrence R. Leavitt.

21 **IT IS FURTHER ORDERED** that the Clerk of Court **shall file** a copy of this order in
22 each of these actions:

23 POWELL V. SKOLNIK, ET AL., 2:10-cv-01182-JCM-PAL;

24 FRIXIONE V. SKOLNIK, ET AL., 2:10-cv-01235-PMP-RJJ;

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26 ¹The complaints in these three actions will be screened pursuant to 28 U.S.C. § 1915(e)(2) after
the receipt and resolution of applications to proceed *in forma pauperis*.

1 JONES V. SKOLNIK, ET AL., 2:10-cv-01214-RLH-LRL;

2 REA V. SKOLNIK, ET AL., 2:10-cv-01217-PMP-PAL

3 **IT IS FURTHER ORDERED** that the Clerk of Court **shall modify** the docket of each
4 of these actions:

5 HALVERSON V. SKOLNIK, ET AL., 2:10-cv-01132-PMP-LRL;

6 POWELL V. SKOLNIK, ET AL., 2:10-cv-01182-JCM-PAL;

7 FRIXIONE V. SKOLNIK, ET AL., 2:10-cv-01235-PMP-RJJ;

8 JONES V. SKOLNIK, ET AL., 2:10-cv-01214-RLH-LRL;

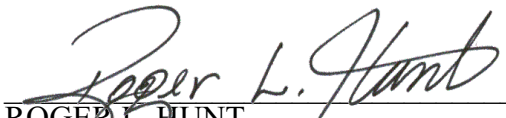
9 REA V. SKOLNIK, ET AL., 2:10-cv-01217-PMP-PAL

10 to reflect that these five matters have been consolidated and that the lead action is:

11 HALVERSON V. SKOLNIK, ET AL., 2:10-cv-01132-PMP-LRL.

12 **IT IS FURTHER ORDERED** that each of the actions shall proceed in its own right.

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14 DATED this 17th day of September, 2010.

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16 
17 ROGER L. HUNT
18 Chief United States District Judge
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